REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	17 April 2000
Name of applicant/court:	The District Court at Waitakere
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	04fuck.jpg
Other Known Titles:	Not Stated
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Applicable
Language:	Not Applicable

Components of film originally examined: Not Applicable.

Feature: Running time:

Trailers: Running time:

Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer image file *04fuck.jpg* is classified as:
Objectionable.

The computer image file promotes and supports the exploitation of children for sexual purposes. The file contains a colour photographic image that depicts a boy and girl, both pre-pubescent, engaged in a sexual act. The close-up depiction emphasises the small size of the girl's limbs and genitals. The image encourages and validates adult sexual interest in children, and strengthens the idea that children may be exploited for adult sexual use and gratification.

The provisions of the New Zealand Bill of Rights Act 1990 (NZBR Act) have been taken into account in determining this classification. As the publication falls under s3(2) of the Films, Videos, and Publications Classification Act 1993, it is deemed to be objectionable. A classification of "objectionable" places a limit on the right to freedom of expression as set out in s14 of the NZBR Act. However, in relation to this publication, the classification is considered to be a reasonable limit prescribed by law that can be demonstrably justified in a free and democratic society.

OFLC Ref: 9902273